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Proposals and contributions received from Governments

Azerbaijan: proposals on the drafting of a United Nations Convention against Corruption

1. Azerbaijan proposes that the convention consist of four sections.

2. Section 1, General provisions, should include the basic concepts used in the convention; the objectives of the convention; the principles relating to the fight against corruption; activities that involve corruption; persons who commit acts of corruption and related offences; the sphere of application of corruption; and bodies engaged in the fight against corruption.

3. Section 2, Prevention of corruption, should deal with matters relating to restrictions with respect to officials; financial oversight; liability for infringement of financial oversight regulations; measures to ensure that close relatives do not work together; and restrictions on gift-giving.

4. Section 3, Offences related to corruption and liability for committing such offences, should deal with matters relating to offences that create conditions conducive to corruption and with liability for committing such offences; liability for contravening measures to investigate the assets of officials of state bodies and local self-government bodies; liability of physical and juridical persons for the illicit remuneration of officials; liability of state bodies, enterprises, institutions and organizations for illicit business activities and receipt of illicit income; liability of managers of the relevant government executive bodies for failure to implement measures to combat corruption; and other offences related to corruption.

5. Section 4, Elimination of the consequences of offences related to corruption, should deal with matters relating to the restitution of the value of illicitly acquired property and illicitly rendered services; destruction of documents and evidence pertaining to offences as a result of corruption; restrictions on the employment of persons who have been dismissed from their posts in connection with corruption; and procedures for the entry into force of the convention.

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6. In addition, Azerbaijan believes that, in drafting the United Nations Convention against Corruption, it would be useful to consider the United Nations Declaration against Corruption and Bribery in International Commercial Transactions (General Assembly resolution 51/191, annex) and other United Nations conventions; the provisions of national legislation to combat corruption adopted by Member States that are acceptable to all countries; the provisions of other international regulatory instruments; and other rational proposals.